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10 VISION AIRLINES, INC.

E filed: 10/15/10

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 *****

10 GERALD HESTER, on behalf of himself and
11 all others similarly situated,

12 Plaintiff,

13 vs.

14 VISION AIRLINES, INC.,

15 Defendant.

CASE NO: 2:09-CV-00117-RLH-RJJ

**DEFENDANT VISION AIRLINES,
INC.'S SUPPLEMENT TO OPPOSITION
TO THE CLASS' EXPEDITED MOTION
TO ENFORCE THE COURT'S ORDERS
OF SEPTEMBER 21, 2010 AND
OCTOBER 5, 2010 AND FOR
SANCTIONS**

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17 VISION AIRLINES, INC., by and through its attorney of record, HAROLD P.
18 GEWERTER, ESQ., of the law firm of HAROLD P. GEWERTER, ESQ., LTD., respectfully
19 submits Defendant Vision Airlines, Inc.'s Supplement to Opposition to the Class' Expedited
20 Motion to Enforce The Court's Orders of September 21, 2010 and October 5, 2010 and for
21 Sanctions.
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23 / / /
24 / / /
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This Opposition shall consist of this Preamble, the following Points and Authorities and the complete files and records of this action.

DATED this 15th day of October, 2010.

HAROLD P. GEWERTER, ESQ., LTD.

/s/ Harold P. Gewerter, Esq.
HAROLD P. GEWERTER, ESQ.
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VISION AIRLINES, INC.

POINTS AND AUTHORITIES

I.

FACTUAL BACKGROUND

On October 15, 2010, Defendant VISION shipped via Federal Express to Counsel for the Class the balance of its remaining discovery consisting of Bates Stamped flight logs for 2010, Bates Stamped Payroll from ADP and a letter from ADP denying Defendants request for such payroll data in native (raw) form as impossible. (See Exhibit "1" attached hereto)

This completes Defendant VISION'S production pursuant to Plaintiff's Request for Production and the later Order to Compel.

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II.

CONCLUSION

For the foregoing reasons, Defendant VISION respectfully requests this Court to Deny in its entirety the Class' Motion to Enforce the Court's Orders of September 21, 2010 and October 5, 2010 and for Sanctions.

DATED this 15th day of October, 2010.

HAROLD P. GEWERTER, ESQ., LTD.

/s/ Harold P. Gewerter, Esq.
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